

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRIESE SCHIFFAHTS GMBH & CO. KG,

Plaintiff,

- against -

SHANDONG PROVINCE YANTAI  
INTERNATIONAL MARINE SHIPPING CO.,

Defendant.

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***EX PARTE ORDER FOR PROCESS  
OF MARITIME ATTACHMENT  
AGAINST SHANDONG PROVINCE  
YANTAI INTERNATIONAL  
MARINE SHIPPING CO.***

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**WHEREAS**, on July 15, 2008 Plaintiff BRIESE SCHIFFAHTS GMBH & CO. KG., filed a Verified Complaint herein for damages amounting to \$386,924.11 and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

**WHEREAS**, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the Defendant's property within the District of this Court; and

**WHEREAS**, the Court has reviewed the Verified Complaint and the Supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

**ORDERED**, that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for the Defendant, SHANDONG PROVINCE YANTAI INTERNATIONAL MARINE SHIPPING CO. by any garnishees within this District, including, but not limited to, Bank of New York Company, Inc., HSBC (USA), Bank of America, Wachovia, Deutsche

Bank, Calyon, BNP Paribas, Citibank, American Express Bank, J.P. Morgan Chase Bank National Association, UBS AG, Barclay's Bank, Credit Suisse, Bank of China, Bank of Communications, Bank of East Asia, Mega International Commercial Bank Co. and/or Standard Chartered Bank, in an amount up to and including \$386,924.11 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

**ORDERED**, that any person claiming interest in the property attached or garnished pursuant to said order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

**ORDERED**, that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

**ORDERED**, that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission or alternative electronic means to any garnishee that advised Plaintiff that it consents to such service; and it is further

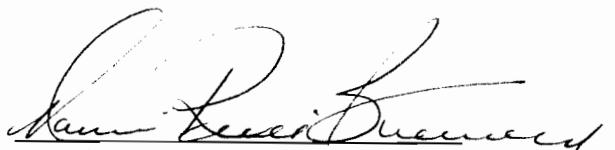
**ORDERED**, that service on any garnishee as described above is deemed effective continuous service throughout the day from time of such service through the opening of the garnishee's business the next business day; and it is further

**ORDERED**, that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) each garnishee may consent, in writing, to accept service by any other means; and it is further

**ORDERED**, that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: July 16, 2008

**SO ORDERED:**

  
Karen Deveraux  
U.S.D.J  
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